GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – PR&RD Dept. – Allegation of corruption against Smt. Y. Mahalaxmi, MPDO, Nandigam, Srikakulam district (Retd. from service on 31.05.2025) – Trapped on 16.02.2002 – Prosecution sanction accorded and charge-sheet filed – Acquitted by the Special Judge for SPE & ACB Cases, Visakhapatnam in CC No.13/2004 – Criminal Appeal filed in the Hon'ble High Court is pending – Further action dropped – Permission for releasing the pensionary benefits subject to outcome of the CRLA No.761/2010 – Regularization of suspension period as "ON DUTY" - Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.III) DEPARTMENT

G.O.RT.No. 973 **Dated: 09-12-2025**

Read the following:-

1. Proceedings of District Collector, Srikakulam, Rc.No.619/2002/C4, dt.16.02.2002.
2. Orders of Hon'ble APAT in OA No.2749/2003, dt.01.05.2003.
3. Progs.Rc.No.619/03/C4,Dt.09.06.03 of the District Collector, Srikakulam.
4. Progs.Rc.No.4476/CPR/M1/2002 of the Commissioner, PR&RE, A.P., dt.27.11.2003.
5. Progs.Rc.No.4476/CPR&RE/M/2002 of the Commissioner, PR&RE, A.P., dt.11.03.2005.
6. G.O.Ms. No.130, PR&RD (VS.II) Dept., dt.19.4.2003.
7. Judgement dt.28.03.2009 of the Special Judge for ACB Cases, Visakhapatnam in C.C.No.13/2004.
8. Criminal Appeal No. 761/2010 filed before the Hon'ble High Court of A.P.
9. From the Commissioner, PR&RE, A.P., Letter No.4476/CPR&RE/ E3.Vig/2002, dt.07.09.2012.

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Whereas, Smt. Y. Mahalaxmi, MPDO, Nandigam, Srikakulam district (now retired) was trapped and arrested by the ACB authorities on 16.02.2002 when she demanded and accepted the bribe amount of Rs.1,000/- for issuing coupons for the balance 60 bags of rice, out of 90 bags released for the earthen road work which was already completed under "Food for Work" (FFW) Programme and was placed under suspension from the date of her detention in the reference 1st read above.

2. In the reference 3rd read above, Smt. Y. Mahalaxmi, MPDO, Nandigam, Srikakulam district (now retired) was reinstated into service in view of the orders of Hon'ble A.P. Administrative Tribunal dt.01.05.2003 in O.A. No.2749/2003 in the reference 2nd read above as District Collector is not competent to suspend the MPDO. Subsequently, in the reference 4th read above, Smt. Y. Mahalaxmi, MPDO, Nandigam, Srikakulam district (now retired) was placed under suspension by the Commissioner, PR&RE, A.P., w.e.f. 27.11.2003 and reinstated to duty pending finalisation of the ACB Trap case in the reference 5th read above.

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3. In the reference 6th read above, Government have accorded sanction for prosecution against Smt. Y. Mahalaxmi, MPDO, Nandigam, Srikakulam district (now retired), as per the recommendation of the Director General, ACB, for demanding and acceptance of the bribe amount for issuing coupons for the balance 60 bags of rice, out of 90 bags released for the earthen road work which was already completed under "Food for Work" (FFW) Programme, for the offense punishable under sections 7 and 13(2) read with section 13(1) (d) and section 12 of the Prevention of Corruption Act, 1988 (Central Act, 49 of 1988) read with Section 34 of Indian Penal Code,1860 and for any other cognate offence punishable under any other provisions of Law for the time being in force and for taking cognizance of the said offenses by the Court of competent jurisdiction.

4. In the reference 7th read above, the Special Judge for SPE & ACB Cases, Visakhapatnam had pronounced Judgment dt.28.03.2009 vide CC No.13/2004 as follows:

> "...Therefore, the evidence of prosecution witnesses is too weak to establish beyond reasonable doubt that AO1 demanded the amount and A2 received the amount on the instructions of AO1. There is no documentary evidence to believe that PW1 worked as labour Maistry. When it is not proved the remaining evidence with regard to payment of amount to A2 towards bribe payable to AO1, is also not believable. In involved circumstances reasonable doubt arose about the testimony of PW1. Hence, the benefit of doubt is extended to AO1 & A2 believing the probabilities of defense version. Therefore, AO1 & A2 are entitled for acquittal.
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> In the result, AO1 & A2 are found not guilty of the offences charged against them and they are accordingly acquitted of the same under sec. 248(i) of Cr.P.C...."

5. In the reference 8th read above, Criminal Appeal No.761 of 2010 was filed before the Hon'ble High Court of Andhra Pradesh on the above acquittal orders in CC No.13/2004. The appeal is pending before the Hon'ble High Court of Andhra Pradesh.

6. In the reference 9th read above, the Commissioner, PR&RE., had furnished the proposals for regularisation of suspension period of 2 spells i.e 1st spell 16.02.2002 to 09.06.2003 and 2nd spell 27.11.2003 to 11.03.2005 in respect of Smt. Y. Mahalaxmi, MPDO, Nandigam, Srikakulam district (now retired).

7. After careful examination of the matter, Government have decided to drop further action against Smt. Y. Mahalaxmi, MPDO, Nandigam, Srikakulam district (retired from service on 31.05.2025) in the ACB trap case as the ACB Court, Visakhapatnam acquitted the individual vide CC No.13/2004 and to release the pensionary benefits accordingly, subject to outcome of Criminal Appeal No.761/2010 pending in the Hon'ble High Court

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of Andhra Pradesh and also decided to treat the period of suspension of Smt. Y. Mahalaxmi, Retired MPDO, Srikakulam district from 16.02.2002 to 09.06.2003 and from 27.11.2003 to 11.03.2005 as "ON DUTY" as per Rule 54 (B) (3) of A.P. Fundamental Rules, subject to outcome of Criminal Appeal No.761/2010 pending in the Hon'ble High Court of Andhra Pradesh.

8. Accordingly, Government hereby drop the further action against Smt. Y. Mahalaxmi, Retired MPDO, Srikakulam district in the ACB trap case vide CC No.13/2004 and to release the pensionary benefits accordingly and also to treat the period of suspension of Smt. Y. Mahalaxmi, Retired MPDO, Srikakulam district from 16.02.2002 to 09.06.2003 and from 27.11.2003 to 11.03.2005 as "ON DUTY" as per Rule 54 (B) (3) of A.P. Fundamental Rules, subject to outcome of Criminal Appeal No.761/2010 pending in the Hon'ble High Court of Andhra Pradesh.

9. The Commissioner, Panchayat Raj & Rural Development, A.P., is requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner, Panchayat Raj & Rural Development, A.P., Tadepalli, Guntur District.
Smt. Y. Mahalaxmi, Retd.MPDO, Srikakulam district (through the Commissioner, PR&RD., A.P., Tadepalli).
Copy to:
The Director General, ACB., A.P., Vijayawada.
The Secretary to Vigilance Commission, A.P.Vigilance Commission.
The Chief Executive Officer, ZPP, Prakasam / Srikakulam district
The Principal Accountant General (A&E), A.P., Vijayawada.
The Director of Treasuries and Accounts, A.P., Vijayawada.
The OSD to Dy.Chief Minister (PR&RD)
The PS to Principal Secretary to Govt., PR&RD dept.
SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER